

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Kim Smith

Plaintiff

vs.

James Morgan et al.

Respondent

: Civil Action No. 1:01-0817

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:

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:

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FILED
SCRANTON

JUL 15 2002

PER JM
DEPUTY CLERK

REQUEST TO AMEND COMPLAINT

And now comes Kim Smith a lay person not lettered in legal matters and without the aid of counsel prays a less stringent standard be applied to this request to amend complaint.

Since the May 17, 2002 deposition was void of any question regard the June 2000 issue in which petitioner face was repeatedly forced into a wall causing him to lose his upper left front tooth, petitioner request that a John Doe respondent be added since all of his attempts to obtain the officer name in the RHU on the date in question has failed, at State Correctional Institution Smithfeild has since failed and petitioner not being able to obtain the name of this officer. And since the deposition was void of any question on this issue petitioner is concern if this issue will be addressed or pushed under the rug.

Wherefore it is respectfully requested to amend the complaint to include a John Doe respondent until the officers name can be obtained that used excessive force during a strip search in RHU in June 2000, with out reason or threat to anyone this officer knowingly and intentionally force petitioners face into a wall without reason or cause to do so, and did so with the intent to injury or harm petitioner.

RESPECTFULLY SUBMITTED

Kim Smith

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

Kim Smith	:
Plaintiff	:Civil Action No. 1:01-0817
	:
vs.	:
	:
James Morgan et al.	:
Respondent	:
	:

VERIFICATION

I Kim Smith swear and affirm and certify under the penalties of perjury provided for under 18 Pa. C.S. § 4904 (unsworn falsification) that the facts herein are true and correct to the best of my knowledge and understanding.

Date 7-10-02

Kim Smith

Kim Smith CT-2162

1 Kelley Dr.

Coal Township Pa. 17866-1021

PROOF OF SERVICE

I certify that on or about July 10, 2002 I placed in institutional mail box a envelope containing a request to amend complaint to be forwarded to the United States Postal Service to be mail first class to the below listed parties.

May E. D'Andrea
Office of the Clerk
United States District Court
Middle District of Pennsylvania

Mr. Talaber

Kim Smith